COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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In the matter of:	, PUBLIC SERVICE
FOREST CREEK, LLC) COMMISSION
COMPLAINANT) Case No. 2011-00297
vs.)
JESSAMINE- SOUTH ELKHORN WATER DISTRICT)
DEFENDANT))
)

FOREST CREEK'S RESPONSE TO MOTION FOR EXTENSION OF TIME

Comes the Complainant, Forest Creek, LLC ("Forest Creek"), by counsel, and for its response to the Motion For Extension of Time submitted by the Defendant, Jessamine - South Elkhorn Water District ("Water District"), states as follows:

- 1. The Complaint of Forest Creek, LLC, initiating the above-styled matter was filed on August 5, 2011. The Commission's Order to Satisfy or Answer Complaint was issued on August 17, 2011. The Water District was given ten (10) days to file a written answer to Forest Creek's Complaint or to satisfy the matters complained of. The Water District now requests an extension of time through and including September 26, 2011, within which to file its response to the Complaint.
- 2. The basis for the Water District's Motion for Extension of Time is its statement that the Water District's Board does not meet again until September 12, 2011, and the statement made in open court by the Jessamine Circuit Court on August 11, 2011, that the then pending case styled Jessamine-South Elkhorn Water District vs. Forest Creek, LLC, Civil

Action No. 10-CI-1394 would be dismissed because the Commission has sole jurisdiction over this dispute.

3. In light of the Water District's admission that it received notice of the above-styled proceeding on or about August 9, 2011, and that it was informed by the Jessamine Circuit Court of the dismissal of the Circuit Court matter concerning this dispute, Forest Creek does not object to the Water District's Motion for Extension of Time, but requests that the extension of time be limited to September 16, 2011.

Dated: September 1, 2011

Respectfully submitted,

Robert C. Moore

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Counsel for Forest Creek, LLP

Lount C. Moon

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by first class mail, postage prepaid, this the 1st day of September, 2011, to, Hon. Bruce E. Smith, **BRUCE E. SMITH LAW OFFICES**, **PLLC**, 201 South Main Street, Nicholasville, Kentucky 40356.

Robert C. Moore